HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE
AND
HON'BLE SHRI JUSTICE C.V. NAGARJUNA REDDY

Writ Petition No.7537 of 2007

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Between:

Sri Sainagar Plot Owners Welfare Association,
Kondapalli, Krishna District

…….. Petitioner

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And

Government of Andhra Pradesh,
Rep. by its Secretary,
Department of Urban Development Authority,
Hyderabad & others

……. Respondents

:: **O R D E R** ::

Counsel for the petitioner : Smt. M. Kavitha

Counsel for respondent No.2 : Smt. K. ARuna

13.04.2007

Per G.S. SINGHVI, C.J.

In this petition, the petitioner has prayed for quashing orders dated 5-2-2004 and 13-4-2004 passed by Vice-Chairman, Vijayawada, Guntur, Tenali and Mangalagiri Urban Development Authority, Vijayawada (for short, 'the authority') for cancellation of layouts of various survey numbers of Kondapalli Village. The petitioner has further prayed for restraining the respondents from interfering with the possession of plots situated in R.S.No.444/2 of Kondapalli Village.

Arguments in this petition were heard on 12.04.2007 and the

case was adjourned for today because we wanted to go through the records of Writ Petition No.3953 of 2004 to which reference has been made in the affidavit filed in support of the petition.

At the commencement of further hearing, we pointed out to the learned counsel for the petitioners that her client has not challenged notification dated 7-2-1921 issued under the Ancient Monuments Preservation Act, 1904 and notification dated 31-8-1967 issued under the Andhra Pradesh Ancient and Historical Monuments and Archaeological Sites and Remains Act, 1960 and, therefore, it may not be possible for the Court to give any relief to her client. Upon this, the learned counsel made a request that her client may be permitted to withdraw this petition with liberty to file fresh one on the same cause and also challenge the validity of notification dated 31.08.1967 issued by the State Government on the basis of letter dated 05.08.1967 sent by Director of Archaeology and Museums, Government of Andhra Pradesh.

The request of the learned counsel is accepted and the writ petition is dismissed as withdrawn with liberty in terms of the prayer made.

As a sequel to dismissal of the writ petition as withdrawn, W.P.M.P.Nos. 9661 and 9662 of 2007 filed by the petitioners are disposed of as infructuous.

G.S.SINGHVI, C.J.

C.V.NAGARJUNA REDDY, J.

13.04.2007
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